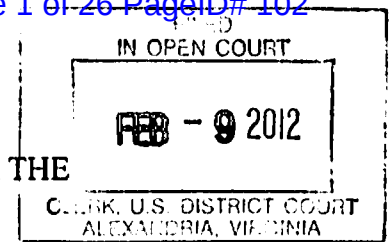


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA



Alexandria Division

UNITED STATES OF AMERICA

v.

JESSE CURTIS MORTON,

Defendant.

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CRIMINAL NO. 1:12cr35

STATEMENT OF FACTS

The parties stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt.

A. Revolution Muslim Generally

1. Revolution Muslim was an organization started in December 2007 that operated internet platforms and websites that contained postings and information supportive of violent jihad. Revolution Muslim was founded by Jesse Curtis Morton, also known as Younus Abdullah Muhammed, and Conspirator YK. Morton was an administrator of its websites and internet platforms. As such, he made postings, responded to inquiries from other users, and reviewed and permitted postings on the sites from others.

2. These websites included revolutionmuslim.com, revolutionmuslim.info, revolutionmuslim.blogspot.com, revolution4muslim.com, revolutionmuslim.daily.blogspot.com, revolutionmuslimdot.com, revolutionmuslim.muslimpad.com, revolutionmuslimblog@blogspot.com, revolutionmuslim@angelfire.com, and revolutionmuslim@wordpress.com. Revolution Muslim also used internet platforms including Googlegroups, BlipTv, PalTalk,

YouTube, Scribd, Slideshare, and Facebook. The multiple platforms allowed some of the sites to always remain active when others were rendered inoperative by internet service providers for violations of terms of service. Although the revolutionmuslim.com site is no longer operative, many of the organization's posts remain accessible on other internet platforms set up by Morton, Conspirator YK, Zachary Chesser, and others, such as <http://bliptv/revolutionmuslim/>, and YouTube accounts in the names of revolutionmuslims, RMNYC2006, RevolutionMuslimCom, RevolutionMuslim, ShoeacideBomber and salafisalafisalafi.

3. Morton and his associates in the Revolution Muslim organization claimed to follow the teachings of Sheikh Abdullah Faisal.¹ They used the organization's websites to encourage Muslims to support Usama bin Laden, Anwar Al-Awlaki², al-Qaida, the Taliban, and other Muslims engaged in or espousing jihad. They encouraged Muslims to prepare for and engage in jihad against those they believed to be enemies of Islam.

4. Morton publicly stated his adherence to Faisal's exhortations. For example, the Revolution Muslim website contained the video of portion of a CNN interview with Morton that

¹ Sheikh Abdullah Faisal is a Muslim cleric who previously preached the necessity of violent jihad and the virtues of killing kuffars. (The term "kuffar" is an Arabic term, referring to an unbeliever, or disbeliever, in Islam). In February 2003, Faisal was convicted in the United Kingdom of "soliciting to murder," based on lectures he gave in which he openly called upon his followers to kill Americans, Jews, Hindus, and other perceived "enemies of Islam." Faisal completed his prison sentence in the United Kingdom and now resides in Jamaica.

² Anwar Al-Awlaki was a dual citizen of the United States and Yemen, and an Islamic lecturer and spiritual leader of "al Qaeda of the Arabian Peninsula" ("AQAP"), a Yemen-based terrorist group that had claimed responsibility for terrorist acts against targets in the United States, Saudi, Korean and Yemeni since its inception in January 2009. Pursuant to a Presidential Executive Order, Al-Awlaki was designated by the United States as a "Specially Designated Global Terrorist" on July 12, 2010. Al-Awlaki was reportedly killed in Yemen on September 30, 2011.

took place in November 2009. In that interview, Morton told the television reporter that Muslims are "commanded to terrorize the disbelievers." At that point, the following exchange took place in the video:

Reporter: You're commanded to terrorize the disbelievers?

Morton: The Koran says very clearly in the Arabic language . . . this means "terrorize them." It's a command from Allah.

Reporter: So you're commanded to terrorize anybody who doesn't believe. . .

Morton: Doesn't mean . . . You define terrorism as going and killing an innocent civilian. That's what you . . .

Reporter: How do you define terrorism?

Morton: I define terrorism as making them fearful, so that they think twice before they go rape your mother or kill your brother or go into your land and try to steal your resources.

5. On August 7, 2009, Morton engaged in street dawa,³ a video of which he later posted to a Revolution Muslim YouTube account. In the course of the dawa, Morton proclaimed that "God tells you to terrorize them in the Quran" and that "Islam is guerilla warfare." On April 30, 2010, Morton posted a "Paltalk" session on a Revolution Muslim internet platform in which he reiterated that Muslims are commanded to terrorize enemies of Islam. In December 2010, Morton posted to the IslamPolicy website a response to a report on CNN about the Revolution Muslim organization. That response included the following:

[CNN] suggested that we justify the killing of American soldiers, that we hold the attacks on September 11, 2001 as justified, that we want to restore a global caliphate, wipe Israel off the map, and that attacks on almost any American are justified, to which they also included the quote, "Americans will always be targets, and legitimate targets, until America changes its

³ Dawa is an Arabic word for Islamic outreach or proselytizing.

nature in the international arena.” I would be a liar if I said I did not hold these ambitions and aspirations

6. On February 28, 2008, Revolution Muslim posted on one of its websites a video titled “Knowledge is For Acting upon - The Manhattan Raid.” The video, which is approximately two hours in length, purported to have been released by As-Sahab, the media and propaganda branch of Al-Qaeda, and depicted Usama bin Laden and the 9/11 hijackers as heroes who acted on the knowledge they had. The video asserted that jihad is an individual obligation, and that Islam can neither be established nor gain a foothold without jihad. It quoted bin Laden, “So talk yourself into martyrdom operations. . . because to the same degree that the number of young men who carry out martyrdom operations increases, the time of victory gets closer, with Allah’s permission.” It quoted one of the 9/11 hijackers as stating that “the martyrdom operation is the best way to wound the enemy and terrorize them . . . as for its legal status, most people of knowledge . . . have permitted it and shown that it is a great way to bring oneself near to Allah.” The video quotes one of the hijackers as affirming that “we are those who built our forts out of skulls.” On November 29, 2009, January 25, 2010, and again in February 2011, when correspondents contacted Morton to ask him for an opinion on the attacks of 9/11, Morton emailed responses that “we look to the mujahideen” for guidance and that the questioners should watch the “Knowledge is for Acting Upon by Al-Sahab’ video” and reach their own conclusions.

7. In April 2009, Morton emailed a friend engaged in a dispute with another individual about the relative merits of Sheikh Faisal and Anwar Awlaki. In the course of his defense of Faisal over Awlaki, Morton justified the positions of the Revolution Muslim organization on the grounds that

Allah says: "And incite the believers to fight..." This is our intention. If he [the individual engaged in the dispute with the friend who emailed Morton] wants the best political, economic, and religious analysis and dialogue to flow after that he should read the website. Let him refute something there.

8. On July 25, 2008, a video entitled "Where are the Kings" was posted to the RevolutionMuslims YouTube account. The presentation glorified the efforts of the mujahideen's to overthrow oppressive governments in Muslim lands. The video closed with a photo of Said Qutb⁴ behind bars in Egypt and his quotation, "Indeed, our words will remain lifeless, barren, devoid of any passion, until we die as a result of these words."

9. In or about March 2008, what was purported to be a new audio recording of Usama bin Laden was posted to the website RevolutionMuslim.com. The recording was played in Arabic, with an English translation scrolling across a video of rockets firing and then a still photo of bin Laden holding an AK-47 rifle. In the message, bin Laden threatened the European Union over the re-printing of the Danish Cartoons,⁵ saying that "if there is no check on the freedom of your words, then let your hearts be open to the freedom of our actions."

⁴ Qutb was a leading member of the Muslim Brotherhood in Egypt in the 1950s and 1960s. A founder of the modern Islamist movement and an inspiration to the likes of Usama bin Laden, Qutb was hanged in Egypt in 1966 for his alleged participation in a plot to assassinate Egyptian President Nasser.

⁵ In 2005, the Danish newspaper Jyllands-Posten published 12 cartoons of the Muslim prophet Muhammad ("the Danish Cartoons"), for the stated purpose of showing that Islam should be subject to the same standards as other religions in the press. Publication of the Danish Cartoons later was the subject of rioting in parts of the Muslim world. Since publication of the Danish Cartoons, one of the cartoonists, Kurt Westergaard, has been the object of several murder threats as a result of his drawing Muhammad. In 2007, Swedish cartoonist Lars Vilks drew pictures of Muhammad and later was the object of several murder threats as well.

10. On September 14, 2008, an article with the comment “we need more of this” was posted to one of Revolution Muslim’s internet platforms reporting that the chief justice of the Supreme Judicial Council in the Kingdom of Saudi Arabia issued a fatwa authorizing the killing of the owners of Saudi Arabian television networks that broadcast depravity and debauchery. According to the report, it “is lawful to kill ... the apostles of depravation ... if their evil cannot be easily removed through simple sanctions.”

11. On January 23, 2009, Morton engaged in street dawa, a video of which he later posted to a Revolution Muslim YouTube account. In the course of the dawa, Morton stated that the 9/11 attacks were against legitimate military targets. In another video posted to the Revolution Muslim account through Bliptv on November 8, 2009, Morton justified Nidal Hasan’s killing of 13 soldiers at Fort Hood as a “preventative strike” because these soldiers were deploying to Iraq.

12. On April 17, 2009, Revolution Muslim posted a statement calling President Obama a kaffir and calling for him to spend his afterlife thrown in the deepest depths of fire. The post closed with the exhortation, “May Allah Destroy the U.S.

13. On or about March 7, 2010, Zachary Chesser posted on his themujahidblog.com website an article titled “Open Source Jihad,” which concerned providing information on the internet which mujahideen around the world could use “to elude capture and death while maintaining relevance and striking capability.”

14. On November 5, 2010, Morton posted to the IslamPolicy website Anwar Awlaki’s video, “On Those that Remain Behind.” In the video, Awlaki stated that a person who has the “knowledge and does not act upon” it is worse than someone who does not have the knowledge,

and discussed the obligations of Muslims who were unable to fight in jihad. Awlaki stated that such Muslims were obligated to send money. Morton posted to IslamPolicy the video that was previously uploaded to the revolutionmuslims YouTube account.

15. On December 2, 2010, Morton was asked by a journalist to respond to allegations that he was associated with terrorists. In response, Morton wrote that "If loving Muslims that fight and die to defend themselves from Western imperialism makes the UK and US govts associate me or IslamPolicy with terrorists then I am honored to be so associated." When asked how and why he would justify violence, he wrote that "I don't see why people would ever imagine that you can defeat 500 years of the colonialism and genocide that is Western civilization with placards and democratic participation."

B. Samir Khan and Jihad Recollections

16. In January 2009, Samir Khan emailed Morton and Conspirator YK that Khan had dedicated a video on the Inshallahshaheed website "to strike fear in the Kuffar."

17. In January and again in June 2009, Morton authorized Khan to post materials related to jihad on the RevolutionMuslim.blogspot.com website while the website that Khan usually used was disabled. In February 2009, Khan invited Morton to contribute to an on-line magazine dedicated to jihad called *Jihad Recollections*. In April and May of 2009, Morton provided Khan with two articles for the first two on-line editions of *Jihad Recollections*. In September 2009, Morton and Khan communicated by email regarding the fourth edition of *Jihad Recollections*. In October of 2009, Khan moved to Yemen and no further editions of *Jihad Recollections* were compiled or distributed.

C. The Threats Against Jewish Organizations

18. On March 8, 2008, conspirator YK posted to the Revolution Muslim website a video praising the Palestinian believed to have died in the course of killing eight students and wounding 11 more at the Merkaz HaRav Yeshiva (a Jewish religious school) in Jerusalem, Israel, two days earlier.

19. On December 3, 2008, Conspirator YK asserted on Revolution Muslim's website that the November 26, 2008 attack on the Chabad House in Mumbai, India, and the killing of six people inside (including the rabbi and his wife who operated the house) was justified on the grounds that Chabad supported Israel.⁶

20. On or about January 8, 2009, Conspirator YK posted to the Revolution Muslim website a video encouraging viewers upset about events in Gaza to seek out the leaders of Jewish Federation chapters in the U.S. and "deal with them directly at their homes." The video showed Conspirator YK listing the names and addresses of synagogues in New York and the address of the Chabad organization in Brooklyn. The video showed Conspirator YK encouraging viewers to take all of their hatred and enmity for non-Muslims and "put it to the right purpose." Conspirator YK told viewers that "you don't have to do it here on YouTube. You don't have to put a comment on with your name, and where you live, and who you are, and what you want to do. Just do it." The video portrayed Conspirator YK stating:

Let them understand that there are consequences for those that occupy sovereign lands. And a brother told me a slogan, I don't know if it is legal, I have to check it out He said, Give me liberty or I'll give you death. Pretty interesting.

⁶ Chabad is an organization of the Lubavitch sect of religious Jews.

21. On or about January 20, 2009, Conspirator YK posted to the Revolution Muslim website a photo of the headquarters of the Chabad organization in Brooklyn with the message "Do Not Let Orthodox Judaism Get Away From Murder in Ghaza". The photo also contained cartoon balloons pointing out the location of the main temple, and noting that it was always full at prayer times.

22. On January 20, 2009, NYPD detectives interviewed Morton about YK's postings on Revolution Muslim's website regarding Chabad and Jewish organizations. NYPD detectives told Morton that even an inferred threat on the website will be taken seriously, and that Morton could be held accountable for what YK posted on the website because he was an administrator of the site.

23. On or about January 21, 2009, Conspirator YK posted to the Revolution Muslim website a slideshow of images of wounded Palestinians interspersed with pictures of the Brooklyn headquarters of Chabad, and a photo of the bloody aftermath of the terrorist attack at the Merkaz HaRav Yeshiva in Jerusalem in 2008. The slideshow also contained images of reports describing the January 20th posting as a threat against Chabad. The only soundtrack was a heartbeat that quickened and slowed and then sped up again, until the end, when there were sounds of gunshots and shattering glass.

24. On January 21, 2009, Conspirator YK and Morton exchanged emails about the postings to Revolution Muslim's website regarding Chabad and Jewish organizations. In response to Morton's request that YK stop the posts regarding Chabad and Jewish organizations, Conspirator YK wrote "all I can say is akhi we are always at risk and inshallah we are all for one

and one for all. Most things we publish carry a chance that you and I can be incarcerated. . . .

Muhammad, you and I chose a rooooooogh road this is only the beg[in]ing.”

25. On January 23, 2009, Conspirator YK posted to the Revolution Muslim website a video accusing the headquarters of Chabad with funding terrorism, and urging viewers to find the leaders of Jewish organizations he named, “hold them responsible,” “speak in front of their homes,” and “give them the message of Islam.” The video portrayed Conspirator YK as saying “That’s not a threat, that’s what it is” and

New York City Police Department, CIA, and FBI, you can put me in jail for the rest of my life. As long as I got that information out there for people to what to do, I did something. I didn’t sit on my behind. I did what I could legally do, what was in my means to do so.

The video ended with gunshots.

26. On or about February 23, 2009, Conspirator YK posted to the Revolution Muslim website a video praising the Palestinian believed to have died in the course of killing eight students and wounding 11 more at the Merkaz HaRav Yeshiva in Jerusalem, Israel, in March 2008.

27. On March 13, 2009, an article posted to the Revolution Muslim website quoted Conspirator YK as stating that Rashid Baz - - who shot at a bus filled with religious Jews near the Brooklyn Bridge and killed a 16-year-old in March 1994 - - “took it to the next level,” and “understood Lubavitch probably better than we did.” On March 24, 2009, the Revolution Muslim website carried a description of Baz’s actions, and a request to support him in prison.

28. On or about October 7, 2009, Conspirator YK posted to the Revolution Muslim website a poem listing ways in which Jews could be hurt, including by arson “while they sleep” and by throwing “liquid drain cleaner in their faces.”

D. The South Park Threats

29. In January 2010, Morton received an email on the revolutionmuslim@gmail.com account from Conspirator Zachary Chesser, offering to participate in Revolution Muslim. Morton accepted Chesser’s offer and provided Chesser with access to the Revolution Muslim websites and platforms. Between January and May 2010, Chesser made posts to Revolution Muslim platforms promoting extremism, including, for example, on February 2, 2010, Anwar Awlaki’s “44 Ways to Support Jihad.”

30. On or about April 14, 2010, Chesser saw an interview with individuals referred to herein as “MS” and “TP,” the writers of the animated television program on the Comedy Central Network known as *South Park*. Chesser understood MS and TP to have said that Muhammad would be depicted in an upcoming episode of *South Park* in a bear suit.

31. On or about April 15, 2010, Chesser posted on Revolution Muslim's website:

- a. a graphic photo of the body of Theo van Gogh⁷ lying in the street where he had been murdered in 2004 for making what the murderer believed was a film that insulted Islam;

⁷ Theodoor “Theo” van Gogh was a Dutch film director who worked with Ayaan Hirsi Ali, a member of the Dutch Parliament who was born a Muslim in Somalia, to produce the film “Submission,” about the treatment of women in Islam. On or about November 2, 2004, van Gogh was knifed to death in the street as he was riding his bicycle in Amsterdam by a Dutch-Moroccan Muslim who claimed that van Gogh and Hirsi Ali defamed Islam through their film; the killer left a note pinned to van Gogh’s body asserting that Hirsi Ali would be killed next for defaming Islam.

- b. a prediction that MS and TP would end up like van Gogh for airing an episode of South Park that in Chesser's view insulted Islam;
- c. audio clips of a sermon by Anwar Al-Awlaki, entitled "The Dust Will Never Settle Down," calling for the assassination of anyone who has "defamed" Muhammad, saying, "Harming Allah and his messenger is a reason to encourage Muslims to kill whoever does that;"
- d. the street addresses of Comedy Central and its production company in New York and Los Angeles, and a link to a 2009 Huffington Post article that gave details (but not the exact address) of a residence of MS and TP in Colorado; and
- e. a suggestion that the readers of his post "pay a visit" to MS and TP.

32. On April 17, 2010, Chesser told Morton that the controversy engendered by the fatwa calling for the killing of Salman Rushdie for his publication of *The Satanic Verses* "was a tremendous help in radicalizing" Muslims in the United Kingdom, and achieving higher visibility for the controversy over *South Park* might do the same for Muslims in the United States.⁸

33. On April 18, 2010, Chesser produced and posted on the AlQimmah website and on his youtube.com account a video titled "Defense of the Prophet Campaign." The video was narrated by Chesser, and contained:

- a. statements by Chesser regarding the South Park episode that featured a character in a bear costume, who various other characters stated was Muhammad;
- b. the audio of a speech by Anwar Al-Awlaki, explaining the Islamic justification for killing those who insult or defame Muhammad; and

⁸ In 1989, Ayatollah Khomeini issued a fatwa calling for all good Muslims to kill Salman Rushdie for insulting Islam in his book, *The Satanic Verses*. Rushdie has lived under guard or under heightened security ever since. Others connected with the publication of the book have been attacked, and Rushdie's Japanese translator was murdered.

- c. photographs of MS, TP, van Gogh, Hirsi Ali, and others who have been publically targeted for death for insulting Muhammad and/or Islam, including Salman Rushdie, Geert Wilders, Kurt Westergaard, and Lars Vilks.⁹

34. On April 19, 2010, Morton suggested ways that he and Chesser could add depth to Chesser's original South Park posts. Morton wanted to "synthesize the general movement of Revolution Muslim along with this particular endeavor."

35. On April 19, 2010, Morton authorized Chesser to post the "Defense of the Prophet" campaign video to Revolution Muslim's YouTube account. Moreover, Morton did not take down the initial postings that Chesser made on the Revolution Muslim websites regarding *South Park*, or direct Chesser to take them down, even though Morton himself concluded that *South Park* did not actually depict Islam's prophet after all. Instead, when the website was hacked as a result of the *South Park* postings, Morton worked to bring the RevolutionMuslim.com website with those postings back on-line.

36. On April 20, 2010, Morton and Chesser decided to stop talking to reporters about the South Park matter and issue a written statement on behalf of Revolution Muslim instead. Morton and Chesser agreed that Chesser would write the first draft of a written statement on behalf of Revolution Muslim, and that Morton would then merge that draft with Morton's own writing.

37. On the evening of April 20, 2010, Chesser emailed his first draft to Morton. Chesser's draft stated that the South Park writers had insulted Muslims, and "[a]s for the Islamic ruling on the situation, then this is clear - there is no difference of opinion from those with any

⁹ Geert Wilders is a member of the Dutch Parliament who is particularly known for his criticism of Islam in the Netherlands and his production of *Fitna*, a film exploring the motivations for terrorism in the Koran. He has lived under police protection for years as a result of threats against him for these criticisms.

degree of a reputation that the punishment is death." Chesser's draft included references to the teachings of specific Islamic authorities for the propositions that the penalty for insulting Islam is death, and that it was contrary to Islam to require that the offenders first be brought before a judge.

38. On the morning of April 21, 2010, Morton emailed a revised draft back to Chesser, and suggested that Chesser then post it on Revolution Muslim's blog. Morton's revision added the following language:

We hope that the creators of South Park may read this and respond, that before sending hate mail and condemning us that we may partake in dialogue, and that the Western media's degradation of the most blessed of men ceases. Otherwise we warn all that many reactions will not involve speech, and that defending those that insult, belittle, or degrade the Prophet Muhammad (peace be upon him) is a requirement of the religion. As Osama bin Laden said with regard to the cartoons of Denmark, "If there is no check in the freedom of your words, then let your hearts be open to the freedom of our actions."

39. In the afternoon of April 21, 2010, Chesser returned a third version to Morton, retaining the bin Laden reference at the end, but changing Morton's language, "[t]hus our position remains that it is likely the creators of South Park will indeed end up like Theo Van Gogh, and we pray Allah makes this a reality" to "[t]hus our position remains that it is likely the creators of South Park will indeed end up like Theo Van Gogh. This is a reality." Chesser told Morton that Chesser deleted Morton's suggested language that "we pray Allah makes this a reality" so that they would not end up in jail.

40. On April 21, 2010, Morton approved of Chesser's posting of the final version of the statement on the Ansar Al Jihad Network. Chesser had told Morton that posting the statement on the Ansar Al Jihad Network would "scare the kuffar."¹⁰

41. On April 22, 2010, Chesser distributed the statement, under the title "Clarifying the South Park Response and Calling on Others to Join in the Defense of the Prophet Muhammad RevolutionMuslim.com" (hereinafter "the Clarification Statement"), to the AlQimmah website, the themujahidblog.com website, and to the Ansar Al Jihad Network.

42. On April 22, 2010, Morton posted the Clarification Statement to revolutionmuslimdaily.blogspot.com. On April 23, 2010, Morton posted the document to the IslamicAwakenings.com website. On April 24, 2010, Morton posted the document to the slideshare.com website, and on April 25, 2010, he posted it to the revolutionmuslim.com website.

43. On or about April 25, 2010, Conspirator YK emailed Morton his agreement to the Clarification Statement.

44. That same day (and unrelated to the *South Park* postings), Morton emailed Conspirator YK a message indicating that Chesser had been communicating with Conspirator Bilal Zaheer Ahmed.

¹⁰ Ansar Al Jihad Network," "themujahid.blog.com," and "IslamicAwakenings.com" were websites that contained numerous articles and comments concerning violent jihad. "AlQimmah" also was a website which contains numerous articles and comments concerning violent jihad, particularly involving Al-Shabaab, an organization based in Somalia that the United States has designated as a foreign terrorist organization. On October 28, 2011, Morton stated that AlQimmah and Ansar were Salafi Jihadi sites that called for killing in the United States

E. The Threats Against “MN” and the Posting of *Inspire* Magazine

45. On or about April 20, 2010, an artist in Washington State, identified here by the initials “MN”, drew a cartoon declaring May 20, 2010, to be the first annual “Everybody Draw Mohammed Day,” with the explanation that:

In light of the recent veiled (ha!) threats aimed at the creators of the television show South Park . . . by bloggers on Revolution Muslim’s website, we hereby deem May 20, 2010, as the first “Everybody Draw Mohammed Day!” Do your part to both water down the pool of targets and, oh yeah, defend a little something our country is famous for (but maybe not for long? Comedy Central cooperated with terrorists and pulled the episode) the first amendment.

A number of social networking sites, including Facebook.com, hosted groups supportive of “Everyone Draw Muhammad Day.” As of May 17, 2010, an “Everybody Draw Mohammed Day” page created on Facebook had tens of thousands of members or visitors who pledged to participate in the event.

46. On or about May 11, 2010, Morton posted to the Revolution Muslim website a news article regarding an attack on Lars Vilks.

47. On May 27, 2010, Morton posted to the BlipTv account of Revolution Muslim an audio file of a speech in which he justified terrorizing the participants in Everyone Draw Muhammad Day. In the speech, Morton asserted that Islam’s position is that those that insult the Prophet may be killed under Shariah law just as if they were fighting with a weapon. Morton exhorted his listeners to fight the “disbelievers near you.”

48. In July 2010, the first edition of an English-language magazine titled *Inspire* was disseminated on-line purportedly by AQAP. The stated purpose of *Inspire* was to inspire English-speaking Muslims to support al-Qaeda and engage in jihad. One section of the *Inspire*

magazine was titled “Open Source Jihad” and contained an eight-page article titled “Make a bomb in the kitchen of Your Mom” by the “AQ Chef” with detailed instructions regarding the construction of an explosive device.

49. Page 22 of the *Inspire* magazine purports to be the start of a special section on “The Dust Will Never Settle Down Campaign.” That page contained a table of contents of the special section, including:

- a. “A timeline of events pertaining to the cartoons;”
- b. “A hit list for the ummah [community of Muslim believers] to take out pertaining to the figures related to the blasphemous caricatures;” and
- c. “Our guest writer Shaykh Anwar [Awlaki] writes on the seriousness of the caricature issue & what must be done about it.”

50. Pages 23-24 of the *Inspire* magazine contains a timeline about the cartoon controversy. Although it does not mention the postings regarding South Park, it identifies MN for starting Everybody Draw Muhammad Day on April 20, 2010. Page 25 of the *Inspire* magazine is the “hit list” referenced on Page 22 of the magazine, and contains simply a photo of an automatic pistol, with the names “Lars Vilks, Flemming Rose, Carsten Juste, Girt Wilders, Salman Rushie, Kurt Westergaard, Ayann Hirsi Ali, Ulf Johansson, and [MN].”¹¹

51. Pages 26-28 of the *Inspire* magazine contain an article by Al-Awlaki, headed with “If it is part of your freedom of speech to defame Muhammad it is part of our religion to fight you.” It then states:

¹¹ Flemming Rose and Carsten Juste were editors of the Jyllands-Posten at the time the Danish Cartoons were published. Ulf Johansson was an editor at a Swedish paper that also printed the cartoons.

I would like to express my thanks to my brothers at *Inspire* for inviting me to write the main article for the first issue of their new magazine. I would also like to commend them for having this subject, the defense of the Messenger of Allah, as the main focus of this issue.

On page 28, Al-Awlaki explicitly called for the murder of “MN”:

A cartoonist out of Seattle, Washington, named [MN] started the “Everybody Draw Mohammed Day.” This snowball rolled out from between her evil fingers. She should be taken as a prime target of assassination along with others who participated in her campaign.

52. Shortly before July 11, 2010, the first edition of *Inspire* magazine was placed on the website Scribd.com, so that it would be accessible to other websites. Morton believed *Inspire* to be the product of Samir Khan. On July 11, 2010, Morton looked at the contents of the *Inspire* magazine and then posted it on Revolution Muslim’s website by linking to the website Scribd.com, with the following comment (misspellings in the original):

We have psoted the entierety of the magazine below for educational and informational purpsoes only. Any content of the magazine should not necessarily be determined to mean that revolutionmuslim.com holds the same view or opinion. Additionally, it should not be deemed that we are displaying any advice or support, material or otherwise, for any institution deemed illegal or terroristic by the U.S. government and its thought police, protecting the world from peace in order to preserve the dominance of a rich, greedy and ultimately evil oligarchy. May Allah destroy them...

In posting the *Inspire* magazine, Morton understood that the “Make a Bomb in the Kitchen of Your Mom” article was inflammatory.

53. On July 12, 2010, Morton received in his JMorton1978 email account a Google Alert regarding “MN” being listed on the “Hit List” in the *Inspire* magazine.

54. On July 12, 2010, Scribd removed the *Inspire* magazine from its own site, thereby causing the magazine automatically to be removed from the Revolution Muslim site as well.

Once the *Inspire* magazine was removed by Scribd, an individual submitted comments to the Revolution Muslim website that provided active links to the *Inspire* Magazine on foreign websites. On July 14, 2010, in his capacity as administrator of the website, Morton approved the posting of the comments to the Revolution Muslim website, that provided a link to the first edition of "*Inspire*" magazine on another website overseas.

F. Chesser's Arrest and Morton's Move to Morocco

55. AMIDEAST is an organization engaged in international education, training and development activities in the Middle East and North Africa. On May 30, 2010, Morton signed a contract with AMIDEAST to teach English as a second language for that organization in Morocco.

56. On June 5, 2010, two associates of Morton in the Revolution Muslim organization, Carlos Almonte and Mohamed Alessa, were arrested in New York on their way to Somalia to join a terrorist organization to kill individuals whose beliefs and practices did not accord with their ideology. That same day, Morton was interviewed by investigators from the New York City Police Department. During that interview, Morton told the investigators that he had no immediate plans to travel internationally but hoped to visit Morocco for Ramadan (which in 2010 started on or about August 11th).

57. On June 14, 2010, Morton arranged for tickets to leave for Morocco on August 8, 2010, to take the job at AMIDEAST. On July 14, 2010, Morton emailed AMIDEAST that he was leaving the United States on August 8, 2010.

58. On July 21, 2010, Zachary Chesser was arrested on the charge of attempting to provide material support to the designated terrorist group Al-Shabaab in Somalia. The next day,

Morton changed his flight to July 25, 2010, because he feared that he would be prevented from leaving the country if he waited.

59. On July 25, 2010, Morton flew to Morocco from New York. On July 26, 2010, Morton emailed his supervisor at the Lantern Group in New York that he had left the country and would not return.

G. The Solicitation to Murder Members of the British Parliament

60. Morton regularly communicated between 2008 and 2010 about Revolution Muslim with a variety of others affiliated with the organization. One such individual was Conspirator Bilal Zaheer Ahmad, in the United Kingdom. For example, on April 26, 2010, Morton provided to Ahmad a password for the Revolution Muslim website, with permission to post whenever Ahmad wanted. On May 2, 2010, Ahmad emailed Morton that Ahmad would resume contributing to Revolution Muslim's sites. On August 8, 2010, Ahmad emailed Morton a complaint that someone was altering Ahmad's posts. On September 22, 2010, Morton emailed Ahmad that they should talk about the site and a way forward.

61. On November 3, 2010, Roshonara Choudhry was sentenced in the United Kingdom to life in prison for attempting to kill British Member of Parliament Stephen Timms by stabbing him on May 14, 2010. Choudhry asserted that she tried to kill Timms as revenge for the people of Iraq, because Timms voted for the participation of the United Kingdom in the war in Iraq. Choudhry said that she was radicalized by Anwar Al-Awlaki's lectures which she heard online. She admitted viewing several jihadist websites including Revolution Muslim.

62. On November 3, 2010, Ahmad posted on the Revolution Muslim website praise for Choudhry for attempting to kill Timms over his support for the Iraq war. The next day, Ahmad

posted to the Revolution Muslim website a list of the 383 members of the British Parliament who had voted for the Iraq war, along with suggestions on how to get in to see them and a link to a store where a knife similar to the one Choudhry used could be purchased.

63. Shortly after this post was made, the RevolutionMuslim.com website became unavailable. On November 7, 2010, Ahmad emailed Morton notification that the website was down, or his regret that his post caused the site to be brought down. Ahmad emailed Morton that the purpose of his post was to “make those MPs fearful, so that they think twice before voting to rape our mothers or kill our brothers, or go onto our lands and try to steal our resources.” Morton emailed Ahmad that Morton was attempting to arrange for the Revolution Muslim website to be brought back on line.

64. On or about November 12, 2010, Morton posted announcements to RevolutionMuslimdaily.blogspot.com and IslamPolicy.com that announced, “this post is to announce the initiation of IslamPolicy.com, the new home of Revolution Muslim.”

H, Operating IslamPolicy from Morocco

65. On or about March 30, 2011, Morton posted to the IslamPolicy.com website the fifth edition of *Inspire* Magazine - - believed by Morton to be compiled by Samir Khan.

66. On May 13, 2011, a criminal complaint was issued against Morton by this Court. On May 17, 2011, Morton told Ali Harfouch that “I will try and stay out of US clutches and stay away from extradition.” He further asserted that “I want martyrdom . . . and will continue to pursue it inshAllah . . . as long as it is in the limits of the shariah.”

67. On or about May 23, 2011, Morton posted the Clarification Statement to the IslamPolicy.com website along with an announcement that the charges had been issued against him as a result of the statement.

I.. Morton's Administration of Revolution Muslim

68. On or about January 28, 2010, Morton provided Chesser with administrative rights to the Revolution Muslim website. On or about February 2, 2010, Morton instructed Chesser to post to the RevolutionMuslim.blogspot.com site because the service provider suspended the Revolution Muslim website. On or about February 4, 2010, Morton communicated with Conspirator YK regarding obtaining a new hosting service for the Revolution Muslim website. On April 4, 2010, Morton provided Chesser with the passwords for Revolution Muslim's gmail and YouTube accounts.

69. On March 7, 2010, Morton directed Chesser to remove a post from the Revolution Muslim website. On April 12, 2010, Morton conditioned his authorization for Chesser to post on the Revolution Muslim website a fatwa authorizing the killing of Americans outside of Iraq, on Chesser's noting that the posting of the fatwa was for "educational purposes and is in no way for the sake of promoting or inciting violence. Otherwise it may turn up at trial." In October 2010, Morton instructed an individual identified as Silar to remove the second edition of *Inspire* magazine from the Revolution Muslim website.

70. On October 28, 2011, Morton told law enforcement agents that he would remove posts from Revolution Muslim that promoted violence. He said that he would have pulled the *South Park* post made by Chesser in April 2010 if he had known that the episode really didn't depict the Muhammad as he thought it was going to. He stated that he would have pulled down

postings by Chesser if Chesser put addresses of the participants in Everyone Draw Muhammad Day on Revolutionmuslim.com, with the insinuation to find and kill those participants.

I.. Members, Associates, and Followers of Revolution Muslim Attempting To Engage in Jihad Against Those They Perceived to Be Enemies of Islam

71. Morton knew that some viewers of the Revolution Muslim websites were inclined to violence. On February 23, 2009, Morton told NYPD detectives that Revolution Muslim received posts and questions from individuals that may seem radical. In addition to Alessa, Almonte, Samir Khan and Chesser, a variety of associates and followers of Revolution Muslim attempted to engage in jihad against those that they perceived to be enemies of Islam.

72. Abdel Hameed Shehadeh operated a website, civiljihad.com, that hosted extremist material and Al-Qaeda videos. While living in New York, Shehadeh attended Revolution Muslim meetings and made his site a feeder site for Revolution Muslim's website. In mid-2008, Shehadeh arranged for all visitors to his website to be routed automatically to RevolutionMuslim.com. On October 26, 2010, Shehadeh was arrested and charged with falsely denying his attempts to join the Taliban on a trip to Pakistan in 2008.

73. On February 2, 2010, Morton received through the revolutionmuslim@gmail.com account a message from Rezwan Ferdaus. In the message, Ferdaus asked for counsel regarding his duties as a Muslim. Ferdaus asked Morton whether martyrdom operations were a proper Islamic practice. Morton responded that same day by email, advising that

With regard to martyrdom operations, we think their intention is most important and every act is judged by intention and so we reserve an opinion on this matter. We can however say that these operations have apparent detractions, but also enormous benefits in a war of attrition. That is all I have time to say now, but if you log onto our site and join our Paltalk discussion on Thursday's you can

ask the questions and we will go into greater detail inshallah. Stay tuned to the homepage to find out what time.

On September 28, 2011, Ferdaus was arrested and charged in connection with a plot to attack the Pentagon and the U.S. Capitol building with remote controlled aircraft filled with explosives.

74. Colleen LaRose, also known as "Jihad Jane," was a subscriber to Revolution Muslim YouTube accounts. On March 4, 2010, LaRose was indicted in Pennsylvania for a variety of terrorism-related offenses, including plotting to kill Lars Vilks. On March 17, 2010, Morton notified Sheikh Faisal that LaRose was a subscriber to Revolution Muslim accounts.

75. On December 8, 2010, Antonio Benjamin Martinez was arrested and charged with plotting to bomb a military recruiting station. On November 3, 2010, Martinez - - also known as Muhammad Hussain - - viewed the Revolution Muslim website, watching a video of Osama bin Laden speaking, and watching multiple jihadist training camp-type video clips.

76. On April 8, 2011, Morton received through the IslamPolicy@gmail.com account a message from Jose Pimental. In the message, Pimental stated that he was a big fan of Revolution Muslim and Islam Policy, and asked whether Pimental should trust an individual known to Morton who suggested that Pimental start a jihad group to kill U.S. Army veterans in the United States. That same day, Morton emailed Pimental that Pimental should stay away from the individual in question because "there is a high probability that he is working for the FBI." On November 20, 2011, Pimental was arrested and charged in connection with a plot to build and use a bomb to assassinate members of the U.S. military returning from active duty in Afghanistan and Iraq.

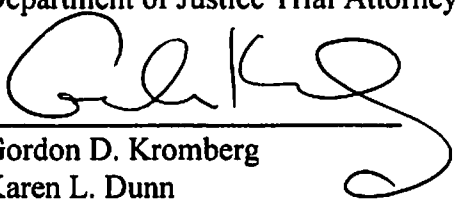
77. On December 15, 2010, Morton responded on IslamPolicy to a report by Anderson Cooper on CNN that Revolution Muslim encouraged its viewers to engage in terrorism by stating that it was “probable” that “knowledge about the reality of US foreign policy shared on our site did contribute to their radicalization.”

78. The acts taken by the defendant, Jesse Curtis Morton, in furtherance of the offenses charged in this case, including the acts described above, were done knowingly and voluntarily and not by mistake or accident. The defendant acknowledges that the foregoing statement of facts does not describe all of the defendant’s conduct relating to the offenses charged in this case nor does it identify all of the persons with whom the defendant may have engaged in illegal activities. The defendant further acknowledges that he is obligated under his plea agreement to provide additional information about this case beyond that which is described in this statement of facts.

Neil H. MacBride
United States Attorney

John T. Gibbs
Department of Justice Trial Attorney

By:

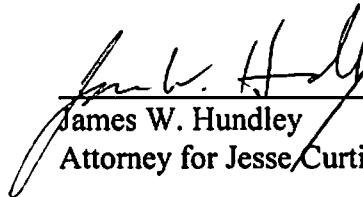

Gordon D. Kromberg
Karen L. Dunn
Assistant United States Attorneys

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Jesse Curtis Morton, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



Jesse Curtis Morton

I am Jesse Curtis Morton's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



James W. Hundley
Attorney for Jesse Curtis Morton